



Laura T. Beyer

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United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:)	CASE NO. 14-31765
)	
GARRETT WAYNE HARWOOD)	CHAPTER 13
SSN: XXX-XX- 1840)	
)	
LYNETTE SPENCER HARWOOD)	
SSN: XXX-XX- 7448)	
)	
DEBTORS.))	

**CONSENT ORDER RESOLVING THE OBJECTION TO
CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN**

THIS CAUSE, coming on the Objection to Confirmation to the Debtors' Chapter 13 Plan filed by Wells Fargo Bank, N.A., ("WFB") and it appearing that the parties have reached a compromise settlement of the issues in controversy prior to hearing of this matter and the Court finds the following:

1. On or about October 20, 2014, the Debtors filed a Petition with the United States Bankruptcy Court for the Western District of North Carolina for relief under Chapter 13 of the United States Bankruptcy Code.
2. WFB is a secured creditor in this bankruptcy holding the Note and Deed of Trust on the Debtors' principal residence, located at 106 N. McGinnis Place North, Mount Holly, NC 28120 ("subject property"). The Deed of Trust is recorded in Book 2898 Page 992 in the Mecklenburg County Registry of Deeds.

3. WFB objected to its treatment under the Proposed Plan and confirmation of the Proposed Plan in the Debtors' chapter 13 case based on the fact that the plan attempts to modify the rights of a secured claim that is secured only by a security interest in real property that is the Debtor's principal residence in violation of 11 U.S.C. § 1322(b)(2).
4. In an effort to avoid further costs and litigation in this matter, all parties have agreed to settle their differences.

WHEREFORE, based upon the foregoing stipulated facts, and with the consent of all parties, it is hereby ORDER, ADJUDGED and DECREED that:

1. The Objection to Confirmation of the Debtor's Chapter 13 plan is hereby resolved
2. WFB's claim will be paid in full over the life of the Chapter 13 plan.
3. The monthly payment will be paid at an interest rate of 5.875%.
4. The Debtors shall make all escrow payments, both taxes and insurance, directly to WFB.
5. The Trustee is hereby allowed and authorized, in accordance with the United States Bankruptcy Code and Local Rules of this district, to modify and/or appropriately make the adjustments to the Chapter 13 plan as necessary to facilitate the terms of this order.

/s/ S. Troy Staley
S. TROY STALEY ATTORNEY FOR
Wells Fargo Bank, N.A.

/s/ Geoffrey A. Planer
GEOFFREY A. PLANER,
ATTORNEY FOR DEBTOR

NO PROTEST/NO OBJECTION

/s/ Warren L. Tadlock
WARREN L. TADLOCK, TRUSTEE

This Order has been signed electronically.
The Judge's Signature and Court's seal
appear at the top of the Order.

United States Bankruptcy Court